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|---|---|--------------------------|--|------------------------|-------------|
| <b>Substitute for form 1449A/B/PTO</b><br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(Use as many sheets as necessary) |   | <b>Complete if Known</b> |  |                        |             |
|   |   | Application Number       | <del>10/770,607</del> Conf. #3788 10/776,688 |                        |             |
|   |   | Filing Date              | February 10, 2004                            |                        |             |
|   |   | First Named Inventor     | Gregory B. Altshuler                         |                        |             |
|   |   | Art Unit                 | 3739   |                        |             |
|   |   | Examiner Name            | H. M. Johnson                                |                        |             |
| Sheet   | 1 | of                       | 1  | Attorney Docket Number | 105090-0233 |

| U.S. PATENT DOCUMENTS |                          |  |                                |  |   |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |                          | Number-Kind Code <sup>2</sup> (if known) |                                |  |   |
| hmj                   | AA*                      | US-5,300,097                             | 04-05-1994                     | Lerner et al.                                      |   |
| hmj                   | AB*                      | US-5,342,358                             | 08-30-1994                     | Daikuzono  |   |

| FOREIGN PATENT DOCUMENTS |                          |   |                                   |  |   |                |
|--------------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | T <sup>6</sup> |
|                          |                          | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) |                                   |  |   |                |
| hmj                      | BA                       | G 91 02 407 U1  |                                   | Mink   |   |                |
| hmj                      | BB                       | WO 02/094116  |                                   | Palomar Medical<br>Technologies, Inc.              |   |                |
| hmj                      | BC                       | WO 04/084752  |                                   | Palomar Medical<br>Technologies, Inc.              |   |                |
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| hmj                      | BF                       | GB 1 546 625  |                                   | Shaw   |   |                |
| hmj                      | BG                       | EP 0 743 029  |                                   | Ceramoptec GmbH                                    |   |                |
| hmj                      | BH                       | WO 88/04592   |                                   | Aesculap-Werke AG                                  |   |                |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|---------------------------------|--------------------------|---|----------------|
| Examiner<br>Initials            | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|                                 |                          |   |                |

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|-----------------------|-------------------------|--------------------|------------|
| Examiner<br>Signature | /Henry M. Johnson, III/ | Date<br>Considered | 08/07/2006 |
|-----------------------|-------------------------|--------------------|------------|